

MINUTES

REAL ESTATE APPRAISER LICENSURE AND CERTIFICATION BOARD

Thursday, October 9, 2008

Mr. Traynor called the meeting to order at 8:57 a.m. in Room W064 of the Indiana Government Center-South, 402 West Washington Street, Indianapolis, Indiana, and declared a quorum, in accordance with IC § 25-34.1-8-4.

Members Present:

Joe Traynor, Chairman
Wayne Johnson, Vice Chairman
Terry Watson, Appraiser Member
John Newlin, Appraiser Member
Lowell K. Griffin, Appraiser Member
Liz Stoll, Lender Member

Members Absent:

James Lewis, Consumer Member

State Officials Present:

Nicholas Rhoad, Director Indiana Real Estate Commission
Patricia Price, Assistant Director, Indiana Real Estate Commission
Stephanie Sims, Litigation Specialist
Jim Schmidt, Deputy Attorney General

- I. **ADOPTION OF CORRECTED MINUTES FROM APRIL 17, 2008**
A motion was made and seconded to approve the minutes
Newlin / Johnson
Motion Carried
5-00
- II. **ADOPTION OF MINUTES FROM JUNE 25, 2008**
A motion was made and seconded to approve the minutes
Newlin / Stoll
Motion Carried
5-00
- III. **ADOPTION OF MINUTES FROM SEPTEMBER 12, 2008**
A motion was made and seconded to approve the minutes
Newlin / Stoll
Motion Carried
5-00
- IV. **CHAIRMAN'S REPORT**
- V. **REPORT FROM THE INDIANA ATTORNEY GENERAL'S OFFICE**

VI. OLD/NEW BUSINESS

- A.** A recommendation was to the Indiana Real Estate Commission concerning the adoption of LSA 08-357 as appearing in the October 1, 2008 Indiana Register and changes to “section 1.5” should be inserted after it in bold, and the “of” should not be stricken. This is the administrative rule to repeal the need for Indiana License Law as part of the CE. The IREC will be having this rule hearing at their December 3rd meeting
- B.** The Board continued their discussion of Emergency Rules to implement fingerprinting of new and existing CR and CG applicants beginning January 1,1, 2009. This is the administrative rule to repeal the need for Indiana License Law as part of the CE. The IREC will be having this rule hearing at their December 3rd meeting
- C.** The Board requested that any appraiser who is discipline by the Board have it included int their order that they must immediately turn in any pocket card or license to the Board that has a status on it other than what is reflected in the disciplinary order.
- D.** Indiana University
Mr. Johnson updated the Board on his discussions with IU on pre-licensing course.
- E.** ASC
The Board was provided with an update about the Appraisal Subcommittee. The Board discussed how addresses the CE issue for the 2004 renewal cycle.
- F.** January 2009 meeting.
The Board changed their meeting to the 15th to coincide with the ASC field review.
- G.** 2010/2011 USPAP Exposure Draft.
The Board was provided with a copy.
- H.** Indianapolis Star Article, “Home Oversight Kept Under too Many Roofs”.
The Board was provided with a copy.
- I.** Verification of Loan Broker License by Appraiser
The Board discussed if there is any licensure or USPAP requirement to verify the licensure of Loan Brokers.
- J.** AARO update
Mr. Watson provided a report on the AARO conference.
- K.** RFP regarding monitoring of licensees on probation.
Mr. Watson provided a report to the Board on the progress of the RFP to outsource licensees on probation. We and Ms. Stoll will be assisting staff since they are not part of any organization that may respond to the RFP.
- L.** 2008 Continuing Education Audit
Ms. Price provided an update

M. Changes to experience log and new experience reporting form
Mr. Griffin provided an update on the new experience log and reporting form

N. Reciprocal Agreements
The Board entered into reciprocal agreements with the following states:

1. South Dakota
2. Connecticut
3. Ohio
4. Michigan

VII. STATUS OF LICENSEES ON PROBATION

A. Report from Staff regarding licensees on probation
Ms. Sims provided an update on the licensees on probation.

VIII. PERSONAL APPEARANCE FOR LICENSEES ON PROBATION

A. State of Indiana V. Dan Wait
REAB 08-22
RE: Final Order stipulates respondent appear before the Board every 90 days
Mr. Wait appeared before the Board in accordance with the terms of his final order.

IX. ADMINISTRATIVE LAW JUDGE ORDERS FOR DELIBERATIONS AND POSSIBLE ISSUANCES OF FINAL ORDER

A. State of Indiana v. Steven Huntsman
REAB 07-12
Re: Administrative Law Judge Order

A motion was made and seconded to approve the Administrative Law Judge Order
Watson / Johnson
Motion Carried
6-0-0

B. State of Indiana v. Sharla Hackney
REAB 06-26
Re: Administrative Law Judge Order

A motion was made and seconded to approve the Administrative Law Judge Order
Johnson / Watson
Motion Carried
6-0-0

C. State of Indiana v. Jon Olinger
REAB 06-162
Re: Administrative Law Judge Order

A motion was made and seconded to approve the Administrative Law Judge Order
Johnson / Watson
Motion Carried
6-0-0

D. State of Indiana v. Hurbert Voges

REAB 06-161

Re: Administrative Law Judge Order

A motion was made and seconded to approve the Administrative Law Judge Order
Griffin / Stoll
Motion Carried
6-0-0

E. State of Indiana v. Laura Turner

REAB 06-67

Re: Administrative Law Judge Order

A motion was made and seconded to approve the Administrative Law Judge Order
Griffin / Johnson
Motion Carried
6-0-0

F. State of Indiana v. Mark Sells

REAB 06-111

Re: Administrative Law Judge Order

A motion was made and seconded to approve the Administrative Law Judge Order
Griffin / Watson
Motion Carried
6-0-0

G. State of Indiana v. Brian Carrington

REAB 07-37

Re: Administrative Law Judge Order

A motion was made and seconded to approve the Administrative Law Judge Order
Griffin / Johnson
Motion Carried
6-0-0

X. DELIBERATIONS AND POSSIBLE ISSUANCES OF FINAL ORDER

A. State of Indiana v. Patricia Hogue

REAB 08-10

Re: Proposed Findings of Fact, Conclusions of Law and Order

A motion was made and seconded to accept the Proposed Findings of Fact, Conclusions of
Law and Order
Newlin / Johnson
Motion Carried
5-01

B. State of Indiana v. Corey Allen Kellams

REAB 08-16

Re: Proposed Findings of Fact, Conclusions of Law and Order

A motion was made and seconded to accept the Proposed Findings of Fact, Conclusions of Law and Order

Griffin / Newlin

Motion Carried

5-01

XI. DISCIPLINARY HEARINGS (All hearings begin at 1:00)

A. State of Indiana v. Patrick Early

REAB 07-53

Re: Disciplinary Hearing

Re: Respondents motion to voluntarily surrender license

This matter was continued.

B. State of Indiana v. Nicole Michelle Brooks*

REAB 08-24

Re: Disciplinary Hearing

No action was taken in this matter to allow for settlement

C. State of Indiana v. Christopher Brooks*

REAB 08-25

Re: Disciplinary Hearing

No action was taken in this matter to allow for settlement

D. State of Indiana v. Susan Ruhana*

REAB 07-40

Re: Disciplinary Hearing

No action was taken in this matter to allow for settlement

E. State of Indiana v. Mario C. Carrizales*

REAB 08-20

Re: Disciplinary Hearing

No action was taken in this matter to allow for settlement

F. State of Indiana v. Jenny Winebrenner (settlement on the way? *)

REAB 08-17

Re: Disciplinary Hearing

No action was taken in this matter to allow for settlement

XII. MOTION TO WITHDRAW APPEARANCE

A. State of Indiana v. Ja'Neane Minor

REAB 06-145

Re: Motion by Counsel to Withdraw Appearance

A motion was made and seconded to accept the Motion by Counsel to Withdraw Appearance

Newlin / Griffin

Motion Carried

5-0-1

XIII. APPLICATION REVIEW

A. Certified Residential

A motion was made and seconded to approve the following applications

Johnson / Newlin

Motion Carried 6-0-0

1. Gayle Norman A
2. Karen McEntire A
3. Jacob Kirkpatrick A
4. Ryan Laidig A (SUBJECT TO ADDITIONAL REVIEW WATSON / NEWLIN.
MOTION CARRIED 6-0-0

B. Certified General

C. Temporary Permits

See attached sheets

A motion was made and seconded to approve the temporary practice permits

Stoll / Newlin

Motion Carried 6-0-0

D. Education Review

a. Appraisal Institute

Valuation of Green Residential Properties 7.0 A

XIV. Adjournment

A motion was made and seconded to adjourn the meeting at 1:30

Griffin / Stoll

Motion Carried

6-0-0

Joseph Traynor, Chairman

Date